

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: The Marriage of:

FAMILY DIVISION

MARK BELLISSIMO,

CASE NO. 502018DR011853XXXXNBFI

Petitioner/Husband,

And

KATHERINE BELLISSIMO,

Respondent/Wife.

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**WIFE'S MOTION FOR INSTRUCTIONS  
REGARDING RECEIPT OF JOINT FUNDS**

The respondent/wife, Katherine Bellissimo, by and through her undersigned counsel, hereby files her motion for instructions regarding receipt of funds, and in support thereof states as follows:

1. The husband filed this divorce case the day after Christmas – December 26, 2018.

A counter-petition will be filed in due course.

2. The case involves a long-term marriage of over 30 years. The parties have four children, all of whom are grown, but some of whom are still reliant upon their parents for financial support.

3. The parties are well known in Palm Beach County, and across the globe, for making Wellington, Florida the premier, worldwide destination for equestrian activities. Both the husband and the wife have been integrally involved in the formation and development of a massive project encompassing nearly 500 acres which include horse showgrounds, the Equestrian Village, the Polo Club, the Wanderers Club and golf course, residential properties, commercial properties, and

undeveloped land.

4. Immediately after the husband filed for divorce, he advised the wife that he would no longer place any of his earnings into the joint account from which they have historically paid all of their living expenses. The husband draws a salary of close to \$100,000 per month and has access to other sources of income and/or liquidity. The wife has no income or access to any liquid funds.

5. In addition, the parties had a tacit understanding, which admittedly was not reduced to writing, that neither party would “raid” the funds that remained in the joint account for legal fees or divorce-related costs. The wife honored that tacit understanding but the husband did not.

6. Based on the husband’s behaviors, which are not limited to the conduct listed above, the wife has filed a motion for an asset injunction. This is because every single asset owned by the parties is marital, but all of the income and all of the assets (with a minor exception not material herein) are under the husband’s exclusive control. As set forth in the asset injunction motion, the wife is concerned that the husband will liquidate assets, borrow against assets, encumber or hypothecate assets, without her knowledge or consent, and then he will unilaterally use the funds as he sees fit.

7. In an effort to be “transparent,” the wife hereby seeks instructions from the Court about what to do with a tax refund check that came in the mail to the marital home recently, totaling several hundred thousand dollars. Obviously, the check is made out to both parties. The wife does not want to deposit the check into the joint account for many reasons. First, the husband has already acted unilaterally with regard to funds in the joint account contrary to their tacit agreement. Second, the husband has “cut off” the wife and she needs these funds in whole or in part for her expenses. Finally, the wife has filed a motion for an injunction against the husband so that he does

not act unilaterally and therefore she thinks it is appropriate not to act unilaterally with regard to the tax refund and instead to get directions from the Court.


8. For all of these reasons, the wife asks the Court to provide instructions on (a) where to deposit the tax refund, (b) who should have the right to use the tax refund, and (c) to grant her injunctive relief so that if the husband receives any other marital cash, it is dealt with transparently, fairly, with the consent of both parties, and absent consent, by order of the Court.

WHEREFORE, the wife respectfully requests the Court to provide the instructions requested herein and grant such other relief as the Court deems appropriate.

WE HEREBY CERTIFY that a copy of the foregoing was electronically filed with the Florida Courts E-Filing Portal on this 3 day of January, 2019, which will send a notice of electronic filing to: [tomsasser@sasserlaw.com](mailto:tomsasser@sasserlaw.com) and [tjsservice@sasserlaw.com](mailto:tjsservice@sasserlaw.com), Thomas J. Sasser, Esq., Sasser, Cestero & Sasser, P.A., Post Office Box 2907, West Palm Beach, Florida 33401-2907.

Respectfully submitted,

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